

REMARKS**I. General.**

Claims 1, 3-5, 7-11, 13-15, and 17-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,960,714 to Senné, (hereinafter referred to as "Senné"). For the reasons that follow, Applicant respectfully submits that the aforementioned amendment to claims 1, 5, 11, and 15 have obviated the 35 U.S.C. § 102(b) rejections of claims 1, 3-5, 7-11, 13-15, and 17-22 in view of Senné.

Claims 1-4 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,642,617 to Lilly, (hereinafter referred to as "Lilly"). For the reasons that follow, Applicant respectfully submits the aforementioned amendment to claim 1 has obviated the 35 U.S.C. § 102(b) rejection of claims 1-4 in view of Senné.

Claims 2, 6, 12, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Senné in view of U.S. Patent No. 5, 247,720 to Sovis, (hereinafter referred to as Sovis). By way of the aforementioned amendments, Applicant has amended independent claims 5 and 15 to recite the elements of previously rejected claims 6 and 16. For the reasons that follow, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2 and 12 and allowance of amended claims 5 and 15.

Additionally, for the reasons that follow, Applicant respectfully submits that the amendments to claims 1 and 11 render claims 1, 3-5, 7-11, 13-15, and 17-22 allowable over the proposed rejections utilizing U.S. Patent No. 7,150,068 B1 to Ragner, (hereinafter referred to as "Ragner").

II. The amendments to claims 1 and 11 obviate the 35 U.S.C. § 102(b) rejection of claims 1, 3-5, 7-11, 13-15, and 17-22 based on Senné.

For anticipation under 35 U.S.C. § 102, the reference teach every aspect of the claimed invention. M.P.E.P. § 706.02. "A claimed invention is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single reference." M.P.E.P. § 2131 (citing , 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claims." M.P.E.P. § 2131 (citing , 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

Claims 1 and 11 have been amended to recite:

“a vacuum port formed in the chassis and spaced apart from the handle, with the vacuum port communicating with the one or more agitator rollers and adapted to receive a removable vacuum hose, wherein debris picked up and propelled by the one or more agitator rollers is drawn out, independently from the handle, through the vacuum port, by a vacuum airflow, when the vacuum hose is introduced into the vacuum port.”

In the device of Senné, the debris is drawn out through the “hose 39,” which functions as a handle. Accordingly, Senné does not teach or suggest “debris picked up and propelled by the one or more agitator rollers is drawn out, independently from the handle, through the vacuum port, by a vacuum airflow, when the vacuum hose is introduced into the vacuum port.” Therefore, for at least this reason, Applicant submits that claims 1 and 11 are allowable. Furthermore, since claims 3, 4, and 21 depend from claim 1 and claims 13, 14, 22 depend from claim 11, Applicant submits that these claims are allowable for at least this same reason.

Claims 5 and 15 have been amended to recite “a removable cover that blocks the port when placed in a closed position.” Applicant respectfully submits that the foregoing element is neither taught nor suggested by the device of Senné. Accordingly, for at least this reason, Applicant submits that claims 5 and 15 are allowable over Senné. Furthermore, since claims 6-10 depend from claim 5 and claims 16-20 depend from claim 11, Applicant submits that these claims are allowable over Senné for at least this same reason.

III. The amendments to claim 1 obviates the 35 U.S.C. § 102(b) rejection of claims 1-4 based on Lilly.

Claims 1 and 11 have been amended to recite:

“a vacuum port formed in the chassis and spaced apart from the handle, with the vacuum port communicating with the one or more agitator rollers and adapted to receive a removable vacuum hose, wherein debris picked up and propelled by the one or more agitator rollers is drawn out, independently from the handle, through the vacuum port, by a vacuum airflow, when the vacuum hose is introduced into the vacuum port.”

In the device of Lilly, debris is drawn out “tubing handle 57.” Accordingly, Lilly does not teach or suggest “debris picked up and propelled by the one or more agitator rollers is

drawn out, independently from the handle, through the vacuum port, by a vacuum airflow, when the vacuum hose is introduced into the vacuum port.” Accordingly, for at least this reason, Applicant submits that claim 1 is allowable. Furthermore, since claims 2-4 depend from claim 1, Applicant submits that these claims are allowable for at least this same reason.

IV. Claims 2, 5-10, 12, and 15-20 are allowable over Senné in view of Sovis.

Claims 2, 5, 12, and 15 recite, “a cover that blocks the vacuum port when placed in a closed position.” According to the Examiner, it would have been obvious to one of ordinary skill in the art to combine the “cover 134, 140” of Sovis with the “port 38” of Senné in order to “ensure there is no leakage around the port when not in use” and “to allow for the most effective collection of dirt.” However, for the reasons that follow, Applicant respectfully submits that one of ordinary skill in the art would not be motivated to make the Examiner’s proposed modification. See M.P.E.P. § 2413.01.

Sovis pertains to vacuum cleaners that are capable of both on the floor cleaning and above the floor cleaning. Sovis, Col. 1, ll. 13-15. As Sovis teaches, such vacuum cleaners typically employ a valve for controlling the application of suction to either a floor nozzle or a hose adapted to receive tools, such as brushes and wands, for above the floor cleaning. Sovis, Col. 1, ll. 15-24. The covers 134, 140 that the Examiner refers to are actually a “valve 134” and the “door element 140” that regulate the suction air flow to a cleaning tool hose used to perform above the floor cleaning. Sovis, Col. 1, ll. 26-52. They enable suction to pass through the cleaning hose tool, when the cleaning hose is in use and block the suction from passing through the cleaning hose tool, when the floor cleaner portion is in use. Sovis, Col. 1, ll. 26-52.

In contrast, to the device of Sovis, the carpet sweeper of Senné is used only for picking up and collecting dirt on a floor. The device of Senné is not provided with any means for receiving tools. Accordingly, there is no need to enable suction to pass through a cleaning hose tool, when the cleaning hose is in use or to block suction from passing through the cleaning hose tool, when the floor cleaner is being used. Consequently, one of ordinary skill in the art would not be motivated to include the “valve 134” and “door element 140” in the device of Senné. Therefore, for at least this reason, Applicant respectfully request reconsideration and withdrawal of the 35 U.S.C. §

103(b) of claims 2 and 12 based on Senné in view of Sovis. Furthermore, for at least this reason, Applicant respectfully requests allowance of claims 5-10 and 15-20.

Furthermore, there simply is no suggestion or teaching in any of the cited references that the joint between the "hose 39" and the "socket 38" in Senné is subject to "leakage" or somehow defective in terms of the "collection of dirt." As a result, for at least this reason, Applicant respectfully submits that one of ordinary skill in the art would not be motivated to modify Senné as proposed by the Examiner. Accordingly, Applicant respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(b) of claims 2 and 12 based on Senné in view of Sovis. Furthermore, for at least this reason, Applicant respectfully requests allowance of claims 5-10 and 15-20.

Additionally, the "socket 38" of Senné is specifically designed to receive the "hose 39." Locating the "valve 134" within the "socket 38" would simply interfere with the ability of the "socket 38" to receive the "hose 39," thus, rendering the device of Senné inoperable and unsatisfactory for its intended function. See M.P.E.P. § 2143.01.

Accordingly, contrary to allowing "for the most effective collection of dirt," the valve 134 would actually interfere with the ability of the device in Senné to collect dirt. As a result, for at least this reason, Applicant respectfully submits that one of ordinary skill in the art would not be motivated to modify Senné as proposed by the Examiner.

Accordingly, Applicant respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(b) of claims 2 and 12 based on Senné in view of Sovis. Furthermore, for at least this reason, Applicant respectfully requests allowance of claims 5-10 and 15-20.

V. Claims 1-22 are allowable over Ragner.

Applicant respectfully submits that Ragner does not teach or suggest "debris picked up and propelled by the one or more agitator rollers is drawn out, independently from the handle, through the vacuum port, by a vacuum airflow, when the-vacuum hose is introduced into the vacuum port." In Ragner, debris passes through the "hose wand 102," which functions as a handle. Accordingly, for at least this reason, Applicant respectfully requests reconsideration and withdrawal of the proposed rejections based in part or Ragner.

VI. Conclusion.

Applicant submits that the subject matter of the present application is novel, nonobvious and useful. Accordingly, Applicant respectfully requests that the rejections be withdrawn and that the present application issue as early as possible.

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SIGNATURE OF PRACTITIONER

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